



## Legislation Details (With Text)

**File #:** 14-1566      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 11/12/2014      **In control:** Board of Supervisors

**On agenda:** 12/16/2014      **Final action:** 12/16/2014

**Title:** Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign the Amendment to the Development Agreement between County of El Dorado, Safeway Inc., DS Placerville, LLC, and Donahue Schriber Asset Management Corporation on the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1B Project, CIP No. 71336.

**FUNDING:** 2004 General Plan Traffic Impact Mitigation (TIM) and Highway 50 TIM fees, American Recovery and Reinvestment Act, Master Circulation and Funding Plan, Regional Improvement Program, Road Fund/Discretionary, State Highway Operation and Protection Program Funds and Transportation Community and System Preservation Funds. (Federal Funds)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - App CRS 12-16-14, 2. B - Amendment to Development Agmt 12-16-14, 3. C - Vicinity Map 12-16-14, 4. Executed Development Agreement 12-16-14 item 16.pdf

Date	Ver.	Action By	Action	Result
12/16/2014	1	Board of Supervisors	Approved	Pass

Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign the Amendment to the Development Agreement between County of El Dorado, Safeway Inc., DS Placerville, LLC, and Donahue Schriber Asset Management Corporation on the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1B Project, CIP No. 71336.

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### Fiscal Impact/Change to Net County Cost

The County of El Dorado (County) will not incur any cost with this amendment; therefore there is no fiscal impact or change to Net County Cost.

### Background

The Community Development Agency Transportation Division (Transportation) is currently in the process of finalizing the U.S. 50/Missouri Flat Road Interchange Improvements - Phase 1B Project (Project). As part of this process, Transportation is clearing title encumbrances on portions of land that the County acquired as part of the project. These portions will be granted to the California Department of Transportation (Caltrans) once the titles have been cleared.

The County acquired portions of 15 parcels for the Project. On what is now County owned assessor's parcel number 327-130-61, a Development Agreement exists which affects the title to the

property. The Development Agreement, executed in 1998, was between the County and the original developers of the shopping center located at the North-East corner of the intersection of Highway 50 and Missouri Flat Road. In 2001, the Development Agreement was subsequently assigned to Safeway Inc., DS Placerville LLC, and Donahue Schriber Asset Management Corporation, who now own much of the property within that shopping center.

The Amendment to the Development Agreement between the County, Safeway Inc., DS Placerville LLC, and Donahue Schriber Asset Management Corporation will serve to release the County owned parcel from the terms and conditions of that Development Agreement.

### **Reason for Recommendation**

Before Transportation can grant the parcel over to Caltrans, Transportation must clear the titles of the parcels of any and all encumbrances including easements or other agreement obligations.

### **Clerk of the Board Follow Up Actions**

- 1) The Clerk of the Board will obtain the Chair's signature on all four (4) original copies of the Agreement. The Chair's signature will be notarized with an original notary acknowledgement page with each original copy.
- 2) The Clerk of the Board will record the Amendment to Development Agreement.
- 3) The Clerk of the Board will return all fully executed recorded documents to Transportation.

### **Contact**

Bard R. Lower, Transportation Division Director  
Community Development Agency

### **Concurrences**

County Counsel